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PATENT
Customer No. 58,982
Attorney Docket No. 08350.1647-00000

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of:)	
)	
Gregg A. McCLELLAND et al.)	Group Art Unit: 2628
)	
Application No.: 10/026,758)	Examiner: Caschera, Antonio A.
)	
Filed: December 27, 2001)	Confirmation No. 9791
)	
For: SCHEMATIC COLORIZATION)	
SYSTEM)	

Mail Stop Appeal Brief--Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

TRANSMITTAL OF APPEAL BRIEF (37 C.F.R. 41.37)

Transmitted herewith is the APPEAL BRIEF in this application in support of the
Notice of Appeal filed on March 10, 2008.

This application is on behalf of:

☐ Small Entity ☒ Large Entity

Pursuant to 37 C.F.R. 41.20(b)(2), the fee for filing the Appeal Brief is:

☐ \$255.00 (Small Entity)
☒ \$510.00 (Large Entity)

TOTAL FEE DUE:

Appeal Brief Fee	\$510.00
Extension Fee (if any)	\$120.00
Total Fee Due	\$630.00

☒ A check for \$630.00 is enclosed to cover the above fee.

PETITION FOR EXTENSION. If any extension of time is necessary for the filing of this Appeal Brief, and such extension has not otherwise been requested, such an extension is hereby requested, and the Commissioner is authorized to charge necessary fees for such an extension to Deposit Account No. 06-0916.

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: June 10, 2008

By: 
Elizabeth M. Burke
Reg. No. 38,758



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Alexandria, VA 22313-1450

Sir:

APPEAL BRIEF UNDER BOARD RULE § 41.37

In support of the Notice of Appeal filed on March 10, 2008, to which the period for response extends through June 10, 2008, by the Petition for Extension of Time of One Month and required fee payment filed concurrently herewith, and further to Board Rule 41.37, Appellant presents this brief and encloses herewith a check in the amount of \$630.00 to cover the Appeal Brief Fee required under 37 C.F.R. § 41.20(b)(2) (\$510.00) and the Extension Fee (\$120.00).

This Appeal traverses the rejection of claims 1-3, 5-10, 12-20, 22, 23, and 25-28 in the Final Office Action mailed on December 13, 2007. 06/11/2008 SZEWDIE1 00000015 10026758

If any additional fees are required or if the enclosed payment is insufficient, 01 FC:1402 510.00 OP
Appellant requests that the required fees be charged to Deposit Account No. 06-0916.

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REAL PARTY IN INTEREST

Caterpillar Inc. is the real party in interest.

RELATED APPEALS AND INTERFERENCES

There are currently no other appeals or interferences, of which Appellant, Appellant's legal representative, or Assignee are aware, that will directly affect or be directly affected by or have a bearing on the Board's decision in this pending appeal.

STATUS OF CLAIMS

Claims 1-28 are pending in this application. Claims 1-3, 5-10, 12-20, 22, 23, and 25-28 are rejected. Claims 4, 11, 21, and 24 are objected to as being dependent upon rejected base claims, but allowable if rewritten in independent form including all of the limitations of the respective base claims and any intervening claims. The rejection of claims 1-3, 5-10, 12-20, 22, 23, and 25-28 is being appealed. A copy of these claims is provided in the attached Claims Appendix.

STATUS OF AMENDMENTS

An After Final Amendment was filed concurrently with the Notice of Appeal on March 10, 2008. In an Advisory Action mailed on March 21, 2008, the Examiner refused entry of the Amendment. However, in a subsequent Advisory Action mailed on April 9, 2008, the Examiner indicated that the Amendment After Final would be entered for purposes of Appeal. No further amendments have been filed.

SUMMARY OF CLAIMED SUBJECT MATTER

Independent claim 1 is directed to a method of coloring a schematic including at least one feature. (See, e.g., Fig. 2 and ¶¶ 17, 22 of Appellant's specification.) The method includes obtaining a schematic generated from a feature-based parametric modeling tool. (See, e.g., element 122 of Fig. 1, step 200 of Fig. 2, and ¶¶ 18, 22 of Appellant's specification.) The method further includes identifying a set of features associated with the schematic to be colored. (See, e.g., Fig. 2 and ¶¶ 18, 19, and 23 of Appellant's specification.) The method further includes establishing a color scheme, wherein the color scheme includes a color, representing a visible wavelength in the electromagnetic spectrum, associated with at least one of the features in the set. (See, e.g., step 210 of Fig. 2 and ¶¶ 18, 19, and 23 of Appellant's specification.) The method further includes automatically coloring the at least one feature based on the color scheme to generate a colored schematic. (See, e.g., step 220 of Fig. 2 and ¶¶ 20, 24 of Appellant's specification.)

Independent claim 8 is directed to a computer-readable medium including instructions executable by a computer to colorize a schematic including at least one feature. (See, e.g., ¶¶ 18, 19 of Appellant's specification.) The instructions comprise the step of obtaining a schematic generated from a feature-based parametric modeling tool. (See, e.g., step 200 of Fig. 2 and ¶¶ 18, 22 of Appellant's specification.) The instructions further comprise the step of identifying a set of features associated with the schematic to be colored. (See, e.g., Fig. 2 and ¶¶ 18, 19, and 23 of Appellant's specification.) The instructions further comprise the step of establishing a color

scheme, wherein the color scheme includes a color, representing a visible wavelength in the electromagnetic spectrum, associated with at least one of the features in the set. (See, e.g., step 210 of Fig. 2 and ¶¶ 18, 19, and 23 of Appellant's specification.) The instructions further comprise the step of automatically coloring the at least one feature based on the color scheme to generate a colored scheme. (See, e.g., step 220 of Fig. 2 and ¶¶ 20, 24 of Appellant's specification.)

Independent claim 15 is directed to a system configured to colorize a schematic including a set of features. (See, e.g., element 100 of Fig. 1 and ¶ 17 of Appellant's specification.) The system comprises a processor. (See, e.g., element 110 of Fig. 1 and ¶ 17 of Appellant's specification.) The system further comprises a memory. (See, e.g., element 120 of Fig. 1 and ¶ 18 of Appellant's specification.) The memory includes a colorization module configured to obtain a schematic generated from a feature-based parametric modeling module and colorize the schematic to generate a colored schematic. (See, e.g., elements 122 and 124 of Fig. 1 and ¶¶ 18-19 of Appellant's specification.)

Independent claim 22 is directed to a system for colorizing a schematic including at least one feature. (See, e.g., element 100 of Fig. 1 and ¶ 17 of Appellant's specification.) The system comprises a colorization module for colorizing the schematic. (See, e.g., element 124 of Fig. 1 and ¶ 18 of Appellant's specification.) The colorization module is configured to obtain a schematic generated from a feature-based parametric modeling tool. (See, e.g., element 122 of Fig. 1 and ¶¶ 17-18 of Appellant's

specification.) The colorization module is further configured to identify a set of features associated with the schematic to be colorized. (See, e.g., ¶ 18 of Appellant's specification.) The colorization module is further configured to establish a color scheme, wherein the color scheme includes a color, representing a visible wavelength in the electromagnetic spectrum, associated with at least one of the features in the set. (See, e.g., ¶¶ 18 and 23 of Appellant's specification.) The colorization module is further configured to automatically colorize the at least one feature based on the color scheme to generate a colorized schematic. (See, e.g., ¶¶ 18 and 24 of Appellant's specification.)

GROUND OF REJECTION

A. Claims 1-3, 5-10, 12-14, and 25-28 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over "SolidWorks Tools - ACP4SWX Overview," which may be found at http://web.archive.org/web/*/http://swtools.cad.de/us_prog_acp.htm as originally posted by Stefan Berlitz regarding Software ver. 1.1.0 released 06/26/2001 (hereinafter "ACP4SWX").

B. Claims 15-20, 22, and 23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over ACP4SWX in view of U.S. Patent No. 5,966,310 to Maeda et al. (hereinafter "Maeda et al.").

ARGUMENT

A. The rejection of claims 1-3, 5-10, 12-20, 22, 23, and 25-28 under 35 U.S.C. § 103(a) should be reversed.

Appellant respectfully requests that the Board reverse the rejection of claims 1-3, 5-10, 12-20, 22, 23, and 25-28 under 35 U.S.C. § 103(a) because a *prima facie* case of obviousness has not been established with respect to these claims. “The key to supporting any rejection under 35 U.S.C. 103 is the clear articulation of the reason(s) why the claimed invention would have been obvious . . . [R]ejections on obviousness cannot be sustained with mere conclusory statements.” M.P.E.P. § 2142, 8th Ed., Rev. 6 (Sept. 2007) (internal citation and inner quotation omitted). “The mere fact that references can be combined or modified does not render the resultant combination obvious unless the results would have been predictable to one of ordinary skill in the art.” M.P.E.P. §2143.01(III) (emphasis in original). “In determining the differences between the prior art and the claims, the question under 35 U.S.C. 103 is not whether the differences themselves would have been obvious, but whether the claimed invention as a whole would have been obvious.” M.P.E.P. § 2141.02(I) (emphasis in original).

Several basic factual inquiries must be made in order to determine the obviousness or non-obviousness of claims of a patent application under 35 U.S.C. § 103. These factual inquiries, set forth in Graham v. John Deere Co., 383 U.S. 1, 17, 148 U.S.P.Q. 459, 467 (1966), require the Examiner to:

- (1) Determine the scope and content of the prior art;
- (2) Ascertain the differences between the prior art and the claims in issue;
- (3) Resolve the level of ordinary skill in the pertinent art; and

(4) Evaluate evidence of secondary considerations.

The obviousness or non-obviousness of the claimed invention is then evaluated in view of the results of these inquiries. Graham, 383 U.S. at 17-18, 148 U.S.P.Q. at 467; see also KSR Internat'l Co. v. Teleflex Inc., 82 U.S.P.Q.2d 1385 (U.S. 2007); see also M.P.E.P. § 2141(II).

Appellant respectfully submits that the cited references, taken alone or in combination, fail to render obvious claims 1-3, 5-10, 12-20, 22, 23, and 25-28 because the scope and content of these references do not include all of the features recited in claims 1-3, 5-10, 12-20, 22, 23, and 25-28. Furthermore, the Examiner has not given any reason as to why it would have been obvious to include the features missing from the cited references

1. The rejection of claims 1-3, 5-7, and 25-28 under 35 U.S.C. § 103(a) in view of ACP4SWX should be reversed.

Claim 1 is an independent claim, and claims 2, 3, 5-7, and 25-28 depend from independent claim 1. A *prima facie* case of obviousness has not been established because, among other things, the prior art reference applied by the Examiner does not include all of the features recited in claims 1-3, 5-7, and 25-28, nor has the Examiner given any reasons as to why it would have been obvious to include the missing features in the cited art of record. For example, claim 1 recites a method of coloring a schematic including at least one feature, the method comprising, "obtaining a schematic generated from a feature-based parametric modeling tool...identifying a set of features associated with the schematic to be colored...and automatically coloring the at least

one feature based on the color scheme to generate a colorized schematic" (emphasis added).

The Final Office Action alleges that ACP4SWX discloses all of the elements of claim 1 with the exception of one element. (Final Office Action, page 3). The Final Office Action admits that "ACP4SWX does not explicitly disclose obtaining the schematic, diagram, blueprint or actual illustration of the element from SolidWorks." (Final Office Action, page 3). To remedy this deficiency, the Examiner states that "[i]t would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the design element color obtaining and setting techniques of ACP4SWX including an actual visual reference to the element being colored in order to provide an easier-to-use more intuitive coloring system making the target color object and other surrounding objects easier to visualize while manipulating them." (Final Office Action, page 3). Appellant understands this to mean that it would have been obvious to obtain and set colors for elements being manipulated in a 3-D modeling tool. However, Appellant respectfully submits that this allegedly obvious implementation does not render the claimed invention unpatentable under § 103(a).

In particular, Appellant submits that all of the elements of claim 1 incorporate and build upon the element of "obtaining a schematic generated from a feature-based parametric modeling tool," which the Final Office Action admits is missing from the teachings of ACP4SWX. For instance, in addition to the step of "obtaining a schematic generated from a feature-based parametric modeling tool," claim 1 also recites, "identifying a set of features associated with the schematic to be colorized...and automatically colorizing the at least one feature based on the color scheme to generate

a colorized schematic" (emphasis added). Thus, even if it would have been obvious to "implement the design element color obtaining and setting techniques of ACP4SWX including an actual visual reference to the element being colored," as alleged by the Examiner, this does not address the admittedly missing element of ACP4SWX, which is invoked and manipulated throughout subsequent elements of claim 1. For at least this reason, ACP4SWX does not disclose or suggest any of the recitations of claim 1.

ACP4SWX discloses a tool that allows SolidWorks users to increase the number of colors available for use with 3D models created in SolidWorks. (Pages 1-2 of ACP4SWX). ACP4SWX provides users with "more than 16 user defined colors" and "named colors (like seagreen) instead of some cryptic red, green and blue values." (Page 2 of ACP4SWX). However, ACP4SWX merely describes "set[ting] color for faces, features or components of (all, selected or main part/assy)" in a 3-D modeling tool. (Page 5 of ACP4SWX). ACP4SWX states that a user can "set color for component faces or features WITHOUT LEAVING THE ASSEMBLY!!" (Page 4 of ACP4SWX). Thus, ACP4SWX discloses a tool for setting customized colors for a 3-D part or assembly being manipulated inside SolidWorks, but not "obtaining a schematic generated from a feature-based parametric modeling tool...identifying a set of features associated with the schematic to be colorized...and automatically colorizing the at least one feature based on the color scheme to generate a colorized schematic," as recited in independent claim 1 (emphasis added).

In response, the Examiner argues that setting colors in a 3-D assembly "is merely a 'feature' and is explicitly explained as one embodiment or 'situation' by ACP4SWX." (Final Office Action, page 14.) However, even when ACP4SWX is setting

colors for parts that are not assembled together, ACP4SWX is still setting colors for faces, features or components of a three-dimensional part being modeled within SolidWorks. (Page 5 of ACP4SWX). Specifically, “[u]sing the API from SolidWorks ACP4SWX will get and set colors for faces, features or components, parts or assemblies or may reset the colors back to default. For it uses SolidWorks own functions it will act (with one exception) just like SolidWorks.” (Page 8 of ACP4SWX). Thus, the Examiner has only pointed to the use of ACP4SWX in colorizing various three-dimensional elements using a CAD modeling tool, such as SolidWorks, but not a schematic colorization module. (Final Office Action, page 4). In fact, the Examiner’s asserted motivation of making “surrounding objects easier to visualize *while manipulating them*” would only be applicable to colorizing elements within a solid modeling tool, but not after a schematic has been generated by and obtained from one.

Moreover, the asserted motivation fails to compensate for the substantial difference between what the Examiner refers to as having “an actual visual reference to the element being colored” (e.g., a 3-D object in a modeling tool), and “obtaining a schematic generated from a feature-based parametric modeling tool,” as recited in claim 1. Any allegation that it would have been obvious to obtain a schematic from a feature-based parametric modeling tool, could only result from impermissible use of hindsight, and not on any cited references or reasonable rationale currently of record. The Examiner responds that, “any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning.” (Final Office Action, page 14.) The Examiner asserts that such a reconstruction is permissible as long as it does not include knowledge gleaned only from Appellant’s disclosure. (Id.) However, the Examiner has

provided no other source from which the claimed steps of “obtaining a schematic generated from a feature-based parametric modeling tool...identifying a set of features associated with the schematic to be colorized...and automatically colorizing the at least one feature based on the color scheme to generate a colorized schematic” could have been obtained.

ACP4SWK does not contemplate the colorizing of “a schematic” at all, as admitted in the Final Office Action, but required by independent claim 1. (Final Office Action, page 15.) As described in Appellant’s specification at paragraph [02], “[t]hese schematic drawings may include, for example, electrical components as well as interconnected wiring.” In paragraph [04], a schematic is described as a drawing that can be printed and then manually colored. In paragraph [16], it is stated that schematics may include engineering schematics, blueprints, diagrams, or any other illustration where color may be associated with an aspect of the design. The above descriptions of the word “schematic” are consistent with the meaning that one of skill in the art would attribute to the word as recited in independent claim 1.

The Examiner responds that, “although ACP4SWX does not explicitly discuss the coloring of a schematic per say, taking the definition of the schematic from Applicant’s specification, ACP4SWX does teach all of the other limitations of claim 1...” (Final Office Action, page 15, emphasis added.) Thus, the Examiner now admits that the “coloring of a schematic” is also an element missing from ACP4SWX just as “obtaining a schematic” is missing, even while asserting that ACP4SWX “does teach all of the other limitations of claim 1.” As explained above, Appellant disagrees with the Examiner’s characterization of the disclosure of ACP4SWX and its alleged teachings.

Further, the admitted lack of a "schematic" cannot be cured by the alleged obviousness of:

"implement[ing] the design element color obtaining and setting techniques of ACP4SWX including an actual visual reference to the element being colored in order to provide an easier-to-use more intuitive coloring system making the target color object and other surrounding objects easier to visualize while manipulating them." (Final Office Action, page 3.)

This statement of obviousness does not address the admitted deficiencies of ACP4SWX. Thus, even if the Examiner's statements regarding obviousness and "the other limitations" were taken as true, which Appellant denies, ACP4SWX still cannot be read to render obvious the steps of "obtaining a schematic generated from a feature-based parametric modeling tool...identifying a set of features associated with the schematic to be colorized...and automatically colorizing the at least one feature based on the color scheme to generate a colorized schematic," as defined and explained in Appellant's specification and recited in independent claim 1. Therefore, neither ACP4SWX nor the Examiner's statement of obviousness, either alone or in combination, discloses or suggests the invention as claimed.

For at least the above-mentioned reasons, the rejection of claim 1 under 35 U.S.C. § 103(a) is unsupportable and should be withdrawn. Dependent claims 2, 3, 5-7, and 25-28, which ultimately depend from independent claim 1 are allowable for at least the same reasons as independent claim 1. Further, each of these dependent claims may recite unique combinations that are neither taught nor suggested by the cited art. Appellant respectfully requests withdrawal of the rejection and allowance of the claims.

2. The rejection of claims 8-10 and 12-14 under 35 U.S.C. § 103(a) in view of ACP4SWX should be reversed.

Claim 8 is an independent claim, and claims 9, 10, and 12-14 depend from independent claim 8. A *prima facie* case of obviousness has not been established because, among other things, the prior art reference applied by the Examiner does not include all of the features recited in claims 8-10 and 12-14, nor has the Examiner given any reasons as to why it would have been obvious to include the missing features in the cited art of record. For example, claim 8 recites a computer-readable medium including instructions executable by a computer to colorize a schematic including at least one feature, the instructions comprising the step of, *inter alia*, "obtaining a schematic generated from a feature-based parametric modeling tool...identifying a set of features associated with the schematic to be colorized...and automatically colorizing the at least one feature based on the color scheme to generate a colorized schematic" (emphasis added).

The Final Office Action alleges that ACP4SWX discloses all of the elements of claim 8 with the exception of one element. (Final Office Action, page 6). The Final Office Action admits that "ACP4SWX does not explicitly disclose obtaining the schematic, diagram, blueprint or actual illustration of the element from SolidWorks." (Final Office Action, page 6). To remedy this deficiency, the Examiner states that "[i]t would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the design element color obtaining and setting techniques of ACP4SWX including an actual visual reference to the element being colored in order to provide an easier-to-use more intuitive coloring system making the target color object

and other surrounding objects easier to visualize while manipulating them.” (Final Office Action, page 7). Appellant understands this to mean that it would have been obvious to obtain and set colors for elements being manipulated in a 3-D modeling tool. However, Appellant respectfully submits that this allegedly obvious implementation does not render the claimed invention unpatentable under § 103(a).

In particular, Appellant submits that all of the elements of claim 8 incorporate and build upon the element of “obtaining a schematic generated from a feature-based parametric modeling tool,” which the Final Office Action admits is missing from the teachings of ACP4SWX. For instance, in addition to the step of “obtaining a schematic generated from a feature-based parametric modeling tool,” claim 8 also recites, “identifying a set of features associated with the schematic to be colorized...and automatically colorizing the at least one feature based on the color scheme to generate a colorized schematic” (emphasis added). Thus, even if it would have been obvious to “implement the design element color obtaining and setting techniques of ACP4SWX including an actual visual reference to the element being colored,” as alleged by the Examiner, this does not address the admittedly missing element of ACP4SWX, which is invoked and manipulated throughout subsequent elements of claim 8. For at least this reason, ACP4SWX does not disclose or suggest any of the recitations of claim 8.

ACP4SWX discloses a tool that allows SolidWorks users to increase the number of colors available for use with 3D models created in SolidWorks. (Pages 1-2 of ACP4SWX). ACP4SWX provides users with “more than 16 user defined colors” and “named colors (like seagreen) instead of some cryptic red, green and blue values.” (Page 2 of ACP4SWX). However, ACP4SWX merely describes “set[ting] color for

faces, features or components of (all, selected or main part/assy)” in a 3-D modeling tool. (Page 5 of ACP4SWX). ACP4SWX also states that a user can “set color for component faces or features WITHOUT LEAVING THE ASSEMBLY!!” (Page 4 of ACP4SWX). Thus, ACP4SWX discloses a tool for setting customized colors for a 3-D part or assembly being manipulated inside SolidWorks, but not “obtaining a schematic generated from a feature-based parametric modeling tool...identifying a set of features associated with the schematic to be colorized...and automatically colorizing the at least one feature based on the color scheme to generate a colorized schematic,” as recited in independent claim 8 (emphasis added).

In response, the Examiner argues that setting colors in a 3-D assembly “is merely a ‘feature’ and is explicitly explained as one embodiment or ‘situation’ by ACP4SWX.” (Final Office Action, page 14.) However, even when ACP4SWX is setting colors for parts that are not assembled together, ACP4SWX is still setting colors for faces, features or components of a three-dimensional part being modeled within SolidWorks. (Page 5 of ACP4SWX). Specifically, “[u]sing the API from SolidWorks ACP4SWX will get and set colors for faces, features or components, parts or assemblies or may reset the colors back to default. For it uses SolidWorks own functions it will act (with one exception) just like SolidWorks.” (Page 8 of ACP4SWX). Thus, the Examiner has only pointed to the use of ACP4SWX in colorizing various three-dimensional elements using a CAD modeling tool, such as SolidWorks, but not a schematic colorization module. (Final Office Action, page 4). In fact, the Examiner’s asserted motivation of making “surrounding objects easier to visualize *while*

manipulating them" would only be applicable to colorizing elements within a solid modeling tool, but not after a schematic has been generated by and obtained from one.

Moreover, the asserted motivation fails to compensate for the substantial difference between what the Examiner refers to as having "an actual visual reference to the element being colored" (e.g., a 3-D object in a modeling tool), and "obtaining a schematic generated from a feature-based parametric modeling tool," as recited in claim 8. Any allegation that it would have been obvious to obtain a schematic from a feature-based parametric modeling tool, could only result from impermissible use of hindsight, and not on any cited references or reasonable rationale currently of record. The Examiner responds that, "any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning." (Final Office Action, page 14.) The Examiner asserts that such a reconstruction is permissible as long as it does not include knowledge gleaned only from Appellant's disclosure. (Id.) However, the Examiner has provided no other source from which the claimed steps of "obtaining a schematic generated from a feature-based parametric modeling tool...identifying a set of features associated with the schematic to be colorized...and automatically colorizing the at least one feature based on the color scheme to generate a colorized schematic" could have been obtained.

ACP4SWK does not contemplate the colorizing of "a schematic" at all, as admitted in the Final Office Action, but required by independent claim 8. (Final Office Action, page 15.) As described in Appellant's specification at paragraph [02], "[t]hese schematic drawings may include, for example, electrical components as well as interconnected wiring." In paragraph [04], a schematic is described as a drawing that

can be printed and then manually colored. In paragraph [16], it is stated that schematics may include engineering schematics, blueprints, diagrams, or any other illustration where color may be associated with an aspect of the design. The above descriptions of the word “schematic” are consistent with the meaning that one of skill in the art would attribute to the word as recited in independent claim 8.

The Examiner responds that, “although ACP4SWX does not explicitly discuss the coloring of a schematic per say, taking the definition of the schematic from Applicant’s specification, ACP4SWX does teach all of the other limitations of claim [8]...” (Final Office Action, page 15, emphasis added.) Thus, the Examiner now admits that the “coloring of a schematic” is also an element missing from ACP4SWX just as “obtaining a schematic” is missing, even while asserting that ACP4SWX “does teach all of the other limitations of claim [8].” As explained above, Appellant disagrees with the Examiner’s characterization of the disclosure of ACP4SWX and its alleged teachings. Further, the admitted lack of a “schematic” cannot be cured by the alleged obviousness of:

“implement[ing] the design element color obtaining and setting techniques of ACP4SWX including an actual visual reference to the element being colored in order to provide an easier-to-use more intuitive coloring system making the target color object and other surrounding objects easier to visualize while manipulating them.” (Final Office Action, page 7.)

This statement of obviousness does not address the admitted deficiencies of ACP4SWX. Thus, even if the Examiner’s statements regarding obviousness and “the other limitations” were taken as true, which Appellant denies, ACP4SWX still cannot be read to render obvious the steps of “obtaining a schematic generated from a feature-

based parametric modeling tool...identifying a set of features associated with the schematic to be colorized...and automatically colorizing the at least one feature based on the color scheme to generate a colorized schematic," as defined and explained in Appellant's specification and recited in independent claim 8. Therefore, neither ACP4SWX nor the Examiner's statement of obviousness, either alone or in combination, discloses or suggests the invention as claimed.

For at least the above-mentioned reasons, the rejection of claim 8 under 35 U.S.C. § 103(a) is unsupportable and should be withdrawn. Dependent claims 9, 10, and 12-14, which ultimately depend from independent claim 8 are allowable for at least the same reasons as independent claim 8. Further, each of these dependent claims may recite unique combinations that are neither taught nor suggested by the cited art. Appellant respectfully requests withdrawal of the rejection and allowance of the claims.

3. The rejection of claims 15-20 under 35 U.S.C. § 103(a) as being unpatentable over ACP4SWX in view of U.S. Patent No. 5,966,310 to Maeda et al. (Maeda et al.) should be reversed.

Claim 15 is an independent claim, and claims 16-20 depend from independent claim 15. A *prima facie* case of obviousness has not been established because, among other things, the prior art references applied by the Examiner do not include all of the features recited in claims 15-20, nor has the Examiner given any reasons as to why it would have been obvious to include the missing features in the cited art of record. For example, claim 15 recites a "system configured to colorize a schematic including a set of features, the system comprising...a colorization module configured to obtain a schematic generated from a feature-based parametric modeling module and colorize the schematic to generate a colorized schematic" (emphasis added).

The Final Office Action alleges that “ACP4SWX discloses a method configured to colorize an electronic schematic including all of the steps disclosed above in the rejection of claims 1 and 8.” (Office Action, page 9). However, the Final Office Action earlier admits with respect to claims 1 and 8 that “ACP4SWX does not explicitly disclose obtaining the schematic, diagram, blueprint or actual illustration of the element from SolidWorks.” (Final Office Action, page 3, 6). To remedy this deficiency, the Examiner states that “[i]t would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the design element color obtaining and setting techniques of ACP4SWX including an actual visual reference to the element being colored in order to provide an easier-to-use more intuitive coloring system making the target color object and other surrounding objects easier to visualize while manipulating them.” (Final Office Action, page 3, 7). Appellant understands this to mean that it would have been obvious to obtain and set colors for elements being manipulated in a 3-D modeling tool. However, Appellant respectfully submits that this allegedly obvious implementation does not render the claimed invention unpatentable under § 103(a).

Even if it would have been obvious to “implement the design element color obtaining and setting techniques of ACP4SWX including an actual visual reference to the element being colored,” as alleged by the Examiner, this does not address the admitted deficiency of ACP4SWX. In particular, independent claim 15 requires a system comprising, “a colorization module configured to obtain a schematic generated from a feature-based parametric modeling module and colorize the schematic to generate a colorized schematic” (emphasis added).

ACP4SWX discloses a tool that allows SolidWorks users to increase the number of colors available for use with 3D models created in SolidWorks. (Pages 1-2 of ACP4SWX). ACP4SWX provides users with “more than 16 user defined colors” and “named colors (like seagreen) instead of some cryptic red, green and blue values.” (Page 2 of ACP4SWX). However, ACP4SWX merely describes “set[ting] color for faces, features or components of (all, selected or main part/assy)” in a 3-D modeling tool (i.e., SolidWorks). (Page 5 of ACP4SWX). ACP4SWX also states that a user can “set color for component faces or features WITHOUT LEAVING THE ASSEMBLY!!” (Page 4 of ACP4SWX). Thus, the system of ACP4SWX fails to disclose “a colorization module configured to obtain a schematic generated from a feature-based parametric modeling module and colorize the schematic to generate a colorized schematic,” as recited in independent claim 15 (emphasis added).

Moreover, the system of ACP4SWX actually teaches away from the claimed invention because ACP4SWX teaches a tool for setting customized colors for a 3-D part or assembly being manipulated inside SolidWorks and not a colorization module for coloring a schematic generated by and obtained from a feature-based parametric modeling module. In response, the Examiner argues that setting colors in a 3-D assembly “is merely a ‘feature’ and is explicitly explained as one embodiment or ‘situation’ by ACP4SWX.” (Final Office Action, page 14.) However, even when ACP4SWX is setting colors for parts that are not assembled together, ACP4SWX is still setting colors for faces, features or components of a three-dimensional part being modeled in SolidWorks. (Page 5 of ACP4SWX). Specifically, “[u]sing the API from SolidWorks ACP4SWX will get and set colors for faces, features or components, parts

or assemblies or may reset the colors back to default. For it uses SolidWorks own functions it will act (with one exception) just like SolidWorks.” (Page 8 of ACP4SWX). Thus, the Examiner has only pointed to the use of ACP4SWX in colorizing various three-dimensional elements using a CAD modeling tool, such as SolidWorks, but not a schematic colorization module. (Final Office Action, page 4). In fact, the Examiner’s asserted motivation of making “surrounding objects easier to visualize *while manipulating them*” would only be applicable to colorizing elements within a solid modeling tool, but not after a schematic has been generated by and obtained from one.

Moreover, the asserted motivation fails to compensate for the substantial difference between what the Examiner refers to as having “an actual visual reference to the element being colored” (e.g., a 3-D object in a modeling tool), and “a colorization module configured to obtain a schematic generated from a feature-based parametric modeling module,” as recited in claim 15. Any allegation that it would have been obvious to obtain a schematic from a feature-based parametric modeling tool, could only result from impermissible use of hindsight, and not on any cited references or reasonable rationale currently of record. The Examiner responds that, “any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning.” (Final Office Action, page 14.) The Examiner asserts that such a reconstruction is permissible as long as it does not include knowledge gleaned only from Appellant’s disclosure. (Id.) However, the Examiner has provided no other source from which “a colorization module configured to obtain a schematic generated from a feature-based parametric modeling module and colorize the schematic to generate a colorized schematic” could have been obtained.

ACP4SWK does not contemplate the colorizing of “a schematic” at all, as admitted in the Final Office Action, but required by independent claim 15. (Final Office Action, page 15.) As described in Appellant’s specification at paragraph [02], “[t]hese schematic drawings may include, for example, electrical components as well as interconnected wiring.” In paragraph [04], a schematic is described as a drawing that can be printed and then manually colored. In paragraph [16], it is stated that schematics may include engineering schematics, blueprints, diagrams, or any other illustration where color may be associated with an aspect of the design. The above descriptions of the word “schematic” are consistent with the meaning that one of skill in the art would attribute to the word as recited in independent claim 15.

The Examiner responds that, “although ACP4SWX does not explicitly discuss the coloring of a schematic per say, taking the definition of the schematic from Applicant’s specification, ACP4SWX does teach all of the other limitations of claim 1...” (Final Office Action, page 15, emphasis added.) Thus, the Examiner now admits that the missing element of a “schematic” is not only relevant to a “colorization module configured to obtain a schematic,” but also to a “colorization module configured to...colorize the schematic.” As explained above, Appellant disagrees with the Examiner’s characterization of the disclosure of ACP4SWX and its alleged teachings. Further, the admitted lack of a “schematic” cannot be cured by the alleged obviousness of:

“implement[ing] the design element color obtaining and setting techniques of ACP4SWX including an actual visual reference to the element being colored in order to provide an easier-to-use more intuitive coloring system making the target color object and other surrounding objects easier to

visualize while manipulating them.” (Final Office Action, page 3, 6.)

This statement of obviousness does not address the admitted deficiencies of ACP4SWX. Thus, even if the Examiner’s statements regarding obviousness and “the other limitations” were taken as true, which Appellant denies, ACP4SWX still cannot be read to render obvious “a colorization module configured to obtain a schematic generated from a feature-based parametric modeling module and colorize the schematic to generate a colorized schematic,” as defined and explained in Appellant’s specification and recited in independent claim 15 (emphasis added).

The Final Office Action also admits that “ACP4SWX does not explicitly disclose the system components,” but asserts that Maeda et al. does teach a processor, a memory, and a colorization module. (Final Office Action, pages 9-10.) However, the cited “coloring and patterning interface section 122” of Maeda et al. is merely used to convert “product production data” into “product design data” suitable for use in a CAD system (col. 14, ll. 15-30.) This interface section 122 of Maeda et al. is not “a colorization module configured to obtain a schematic generated from a feature-based parametric modeling module and colorize the schematic to generate a colorized schematic,” as recited in claim 15 (emphasis added). Moreover, even if Maeda et al. were to teach that which the Examiner alleges, which Appellant denies, Maeda et al. fails to rectify the deficiencies of ACP4SWX as described above.

Thus, even accepting the Examiner’s statements of obviousness as fact, neither ACP4SWX nor Maeda et al., either alone or in combination, can be read to disclose or suggest, “a colorization module configured to obtain a schematic generated from a

feature-based parametric modeling module and colorize the schematic to generate a colorized schematic,” as defined and explained in Appellant’s specification and recited in independent claim 15 (emphasis added).

For at least the above-mentioned reasons, the rejection of claim 15 under 35 U.S.C. § 103(a) is unsupportable and should be withdrawn. Dependent claims 16-20, which ultimately depend from independent claim 15 are allowable for at least the same reasons as independent claim 15. Therefore, Appellant respectfully requests that the rejections of claims 15-20 be reversed.

4. The rejection of claims 22 and 23 under 35 U.S.C. § 103(a) as being unpatentable over ACP4SWX in view of U.S. Patent No. 5,966,310 to Maeda et al. (Maeda et al.) should be reversed.

Claim 22 is an independent claim, and claim 23 depends from independent claim 22. A *prima facie* case of obviousness has not been established because, among other things, the prior art reference applied by the Examiner does not include all of the features recited in claims 22 and 23, nor has the Examiner given any reasons as to why it would have been obvious to include the missing features in the cited art of record. For example, claim 22 recites a “colorization module...configured to: obtain a schematic generated from a feature-based parametric modeling tool; identify a set of features associated with the schematic to be colorized...and automatically colorize the at least one feature based on the color scheme to generate a colorized schematic” (emphasis added).

The Final Office Action alleges that ACP4SWX discloses all of the elements of claim 22, as explained with respect to claim 8, with the exception of one element. (Final Office Action, pages 6 and 10). The Final Office Action admits that “ACP4SWX does

not explicitly disclose obtaining the schematic, diagram, blueprint or actual illustration of the element from SolidWorks.” (Final Office Action, page 3, 6). To remedy this deficiency, the Examiner states that “[i]t would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the design element color obtaining and setting techniques of ACP4SWX including an actual visual reference to the element being colored in order to provide an easier-to-use more intuitive coloring system making the target color object and other surrounding objects easier to visualize while manipulating them.” (Final Office Action, page 3, 7). Appellant understands this to mean that it would have been obvious to obtain and set colors for elements being manipulated in a 3-D modeling tool. However, Appellant respectfully submits that this allegedly obvious implementation does not render the claimed invention unpatentable under § 103(a).

In particular, Appellant submits that all of the elements of claim 22 incorporate and build upon the element of “obtain[ing] a schematic generated from a feature-based parametric modeling tool,” which the Final Office Action admits is missing from the teachings of ACP4SWX. For instance, in addition to “obtain[ing] a schematic generated from a feature-based parametric modeling tool,” claim 22 also recites, “identify[ing] a set of features associated with the schematic to be colored...and automatically coloriz[ing] the at least one feature based on the color scheme to generate a colorized schematic” (emphasis added). Thus, even if it would have been obvious to “implement the design element color obtaining and setting techniques of ACP4SWX including an actual visual reference to the element being colored,” as alleged by the Examiner, this does not address the admittedly missing element of ACP4SWX, which is invoked and

manipulated throughout subsequent elements of claim 22. For at least this reason, ACP4SWX does not disclose or suggest any of the recitations of claim 22.

ACP4SWX discloses a tool that allows SolidWorks users to increase the number of colors available for use with 3D models created in SolidWorks. (Pages 1-2 of ACP4SWX). ACP4SWX provides users with “more than 16 user defined colors” and “named colors (like seagreen) instead of some cryptic red, green and blue values.” (Page 2 of ACP4SWX). However, ACP4SWX merely describes “set[ting] color for faces, features or components of (all, selected or main part/assy)” in a 3-D modeling tool. (Page 5 of ACP4SWX). ACP4SWX also states that a user can “set color for component faces or features WITHOUT LEAVING THE ASSEMBLY!!” (Page 4 of ACP4SWX). Thus, ACP4SWX discloses a tool for setting customized colors for a 3-D part or assembly being manipulated inside SolidWorks, but not a “colorization module...configured to obtain a schematic generated from a feature-based parametric modeling tool; identify a set of features associated with the schematic to be colorized...and automatically colorize the at least one feature based on the color scheme to generate a colorized schematic,” as recited in independent claim 22 (emphasis added).

In response, the Examiner argues that setting colors in a 3-D assembly “is merely a ‘feature’ and is explicitly explained as one embodiment or ‘situation’ by ACP4SWX.” (Final Office Action, page 14.) However, even when ACP4SWX is setting colors for parts that are not assembled together, ACP4SWX is still setting colors for faces, features or components of a three-dimensional part being modeled in SolidWorks. (Page 5 of ACP4SWX). Specifically, “[u]sing the API from SolidWorks

ACP4SWX will get and set colors for faces, features or components, parts or assemblies or may reset the colors back to default. For it uses SolidWorks own functions it will act (with one exception) just like SolidWorks.” (Page 8 of ACP4SWX). Thus, the Examiner has only pointed to the use of ACP4SWX in colorizing various three-dimensional elements using a CAD modeling tool, such as SolidWorks, but not a schematic colorization module. (Final Office Action, page 4). In fact, the Examiner’s asserted motivation of making “surrounding objects easier to visualize *while manipulating them*” would only be applicable to colorizing elements within a solid modeling tool, but not after a schematic has been generated by and obtained from one.

Moreover, the asserted motivation fails to compensate for the substantial difference between what the Examiner refers to as having “an actual visual reference to the element being colored” (e.g., a 3-D object in a modeling tool), and “a colorization module...configured to obtain a schematic from a feature-based parametric modeling tool,” as recited in claim 22. Any allegation that it would have been obvious to obtain a schematic from a feature-based parametric modeling tool, could only result from impermissible use of hindsight, and not on any cited references or reasonable rationale currently of record. The Examiner responds that, “any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning.” (Final Office Action, page 14.) The Examiner asserts that such a reconstruction is permissible as long as it does not include knowledge gleaned only from Appellant’s disclosure. (Id.) However, the Examiner has provided no other source from which a “colorization module...configured to obtain a schematic generated from a feature-based parametric modeling tool; identify a set of features associated with the schematic to be

colored...and automatically colorize the at least one feature based on the color scheme to generate a colorized schematic,” could have been obtained.

ACP4SWK does not contemplate the colorizing of “a schematic” at all, as admitted in the Final Office Action, but required by independent claim 22. (Final Office Action, page 15.) As described in Appellant’s specification at paragraph [02], “[t]hese schematic drawings may include, for example, electrical components as well as interconnected wiring.” In paragraph [04], a schematic is described as a drawing that can be printed and then manually colored. In paragraph [16], it is stated that schematics may include engineering schematics, blueprints, diagrams, or any other illustration where color may be associated with an aspect of the design. The above descriptions of the word “schematic” are consistent with the meaning that one of skill in the art would attribute to the word as recited in independent claim 22.

The Examiner responds that, “although ACP4SWX does not explicitly discuss the coloring of a schematic per say, taking the definition of the schematic from Applicant’s specification, ACP4SWX does teach all of the other limitations of claim [22].” (Final Office Action, page 15, emphasis added.) Thus, the Examiner now admits that the “coloring of a schematic” is also an element missing from ACP4SWX just as “obtaining a schematic” is missing, even while asserting that ACP4SWX “does teach all of the other limitations of claim [22].” As explained above, Appellant disagrees with the Examiner’s characterization of the disclosure of ACP4SWX and its alleged teachings. Further, the admitted lack of a “schematic” cannot be cured by the alleged obviousness of:

“implement[ing] the design element color obtaining and setting techniques of ACP4SWX including an actual visual reference to the element being colored in order to provide an easier-to-use more intuitive coloring system making the target color object and other surrounding objects easier to visualize while manipulating them.” (Final Office Action, page 3, 7.)

This statement of obviousness does not address the admitted deficiencies of ACP4SWX. Thus, even if the Examiner’s statements regarding obviousness and “the other limitations” were taken as true, which Appellant denies, ACP4SWX still cannot be read to render obvious the steps of “obtaining a schematic generated from a feature-based parametric modeling tool...identifying a set of features associated with the schematic to be colorized...and automatically colorizing the at least one feature based on the color scheme to generate a colorized schematic,” as defined and explained in Appellant’s specification and recited in independent claim 22.

The Final Office Action also admits that “ACP4SWX does not explicitly disclose the system components,” but asserts that Maeda et al. does teach a processor, a memory, and a colorization module. (Final Office Action, page 9.) However, the cited “coloring and patterning interface section 122” of Maeda et al. is merely used to convert “product production data” into “product design data” suitable for use in a CAD system (col. 14, ll. 15-30.) This interface section 122 of Maeda et al. is not “a colorization module...configured to obtain a schematic generated from a feature-based parametric modeling tool,” as recited in claim 22. Maeda et al. also fails to teach or suggest, “a colorization module...configured to...identify a set of features associated with the schematic to be colorized...[and] automatically colorize the at least one feature based on the color scheme to generate a colorized schematic,” which are subsequent

limitations incorporating the element admittedly missing from ACP4SWX. Thus, even if Maeda et al. were to teach that which the Examiner alleges, which Appellant denies, Maeda et al. fails to rectify the deficiencies of ACP4SWX as described above.

Thus, even accepting the Examiner's statements of obviousness as fact, neither ACP4SWX nor Maeda et al., either alone or in combination, can be read to disclose or suggest, "a colorization module...configured to obtain a schematic generated from a feature-based parametric modeling tool...identify a set of features associated with the schematic to be colorized...[and] automatically colorize the at least one feature based on the color scheme to generate a colorized schematic," as defined and explained in Appellant's specification and recited in independent claim 22 (emphasis added).

For at least the above-mentioned reasons, the rejection of claim 22 under 35 U.S.C. § 103(a) is unsupportable and should be withdrawn. Dependent claim 23, which depends from independent claim 22 is allowable for at least the same reasons as independent claim 22. Therefore, Appellant respectfully requests that the rejections of claims 22 and 23 be reversed.

B. Conclusion

For the reasons given above, claims 1-3, 5-10, 12-20, 22, 23, and 25-28 are allowable and reversal of the Examiner's rejection is respectfully requested.

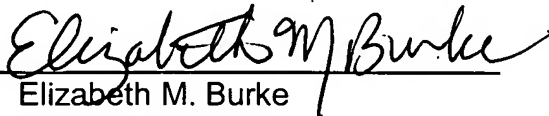
To the extent any extension of time under 37 C.F.R. § 1.136 is required to obtain entry of this Appeal Brief, such extension is hereby respectfully requested. If there are any fees due under 37 C.F.R. §§ 1.16 or 1.17 which are not enclosed herewith,

including any fees required for an extension of time under 37 C.F.R. § 1.136, please charge such fees to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: June 10, 2008

By: 
Elizabeth M. Burke
Reg. No. 38,758

Claims Appendix to Appeal Brief Under Rule 41.37(c)(1)(viii)

1. (Previously presented) A method of colorizing a schematic including at least one feature, the method comprising:

obtaining a schematic generated from a feature-based parametric modeling tool;
identifying a set of features associated with the schematic to be colorized;
establishing a color scheme, wherein the color scheme includes a color,
representing a visible wavelength in the electromagnetic spectrum, associated with at least one of the features in the set; and

automatically colorizing the at least one feature based on the color scheme to generate a colorized schematic.

2. (Previously presented) The method of claim 1, wherein each feature includes one or more elements, and wherein the step of automatically colorizing the at least one feature includes:

associating an element with one of the features; and
automatically colorizing the element based on the color scheme.

3. (Original) The method of claim 1, further including:
storing the colorized schematic in an electronic format.

4. (Previously presented) The method of claim 3, wherein establishing a color scheme includes storing an association between the color and the at least one feature, and further including:

obtaining a revised schematic;

applying the stored association to the revised schematic such that portions of the revised schematic unchanged with respect to the original schematic are automatically colorized in the same manner as in the stored colorized schematic;

determining revised portions and the unchanged portions of the revised schematic based on the application of the stored association to the revised schematic;

associating an element from the revised portions with one of the features; and

automatically colorizing the element based on the color scheme.

5. (Original) The method of claim 2, wherein the step of associating an element with one of the features includes:

selecting a feature; and

selecting at least one element on the schematic to be associated with the selected feature.

6. (Original) The method of claim 5, wherein the step of selecting at least one element on the schematic includes:

selecting at least one element in a visual representation of the schematic.

7. (Previously presented) The method of claim 5, wherein the step of selecting at least one element on the schematic includes:

entering one or more labels associated with the elements.

8. (Previously presented) A computer-readable medium including instructions executable by a computer to colorize a schematic including at least one feature, the instructions comprising the steps of:

obtaining a schematic generated from a feature-based parametric modeling tool;

identifying a set of features associated with the schematic to be colorized;

establishing a color scheme, wherein the color scheme includes a color, representing a visible wavelength in the electromagnetic spectrum, associated with at least one of the features in the set; and

automatically colorizing the at least one feature based on the color scheme to generate a colorized scheme.

9. (Previously presented) The computer-readable medium of claim 8, wherein each feature includes one or more elements, and wherein the step of automatically colorizing the at least one feature includes:

associating an element with at least one of the features; and

automatically colorizing the element based on the color scheme.

10. (Previously presented) The computer-readable medium of claim 8, wherein the instructions further include the steps of:

storing the colored schematic in an electronic format.

11. (Previously presented) The computer-readable medium of claim 10, wherein establishing a color scheme includes storing an association between the color and the at least one feature, and wherein the instructions further include the steps of:

obtaining a revised schematic;

applying the stored association to the revised schematic such that portions of the revised schematic unchanged with respect to the original schematic are automatically colored in the same manner as in the stored colored schematic;

determining revised portions and the unchanged portions of the revised schematic based on the application of the stored association to the revised schematic;

associating an element from the revised portions with one of the features; and
automatically coloring the element based on the color scheme.

12. (Previously presented) The computer-readable medium of claim 9, wherein the step of associating an element with one of the features includes:

selecting a feature; and

selecting at least one element on the schematic to be associated with the selected feature.

13. (Previously presented) The computer-readable medium of claim 12, wherein the step of selecting at least one element on the schematic includes:

selecting at least one element in a visual representation of the schematic.

14. (Previously amended) The computer-readable medium of claim 12, wherein the step of selecting at least one element on the schematic includes:

entering one or more labels associated with the elements.

15. (Previously presented) A system configured to colorize a schematic including a set of features, the system comprising:

a processor; and

a memory, wherein the memory includes

a colorization module configured to obtain a schematic generated from a feature-based parametric modeling module and colorize the schematic to generate a colorized schematic.

16. (Previously presented) The system of claim 15, wherein the modeling module includes a Pro-Engineer software application included in the memory.

17. (Previously presented) The system of claim 15, wherein the colorization module is software configured to work with the modeling module during colorization of the schematic.

18. (Previously presented) The system of claim 15, further including an output module for providing the colorized schematic to one or more of a display device, a printer, or a storage medium.

19. (Previously presented) The system of claim 15, further including an input module for receiving inputs from one or more of a keyboard, a point-and-click device, or a storage medium reader.

20. (Previously presented) The system of claim 15, wherein the colorization module is configured to enable the processor to:

- identify a set of features associated with the schematic to be colorized;
- establish a color scheme, wherein the color scheme includes a color associated with at least one of the features;
- associate an element with at least one of the features; and
- automatically colorize the element based on the color scheme.

21. (Previously presented) The system of claim 20, wherein the colorization module is further configured to instruct the processor to:

- store the colorized schematic in an electronic format;
- store an association between the color and the at least one feature;
- obtain a revised schematic;
- apply the stored association to the revised schematic such that portions of the revised schematic unchanged with respect to the original schematic are automatically colorized in the same manner as in the stored colorized schematic;
- determine revised portions and the unchanged portions of the revised schematic based on the application of the stored association to the revised schematic;

associate an element from the revised portions with one of the features; and
automatically colorize the element based on the color scheme.

22. (Previously presented) A system for colorizing a schematic including at least one feature, the system comprising:

a colorization module for colorizing the schematic, wherein the colorization module is configured to:

obtain a schematic generated from a feature-based parametric modeling tool;
identify a set of features associated with the schematic to be colorized;
establish a color scheme, wherein the color scheme includes a color,
representing a visible wavelength in the electromagnetic spectrum, associated with at least one of the features in the set; and

automatically colorize the at least one feature based on the color scheme to generate a colorized schematic.

23. (Previously presented) The system of claim 22, wherein each feature includes one or more elements, and wherein the step of automatically colorizing the at least one feature includes:

associating an element with one of the features; and
automatically colorizing the element based on the color scheme.

24. (Previously presented) The system of claim 22, wherein the colorization module is further configured to:

store the colorized schematic in an electronic format;

store an association between the color and the at least one feature;

obtain a revised schematic;

apply the stored association to the revised schematic such that portions of the revised schematic unchanged with respect to the original schematic are automatically colorized in the same manner as in the stored colorized schematic;

determine revised portions and the unchanged portions of the revised schematic based on the application of the stored association to the revised schematic;

associate an element from the revised portions with one of the features; and

automatically colorize the element based on the color scheme.

25. (Previously presented) The method of claim 1, wherein establishing a color scheme includes:

establishing a first color associated with a first feature in the set;

establishing a second color associated with a second feature in the set; and

establishing a third color, different from the first and second colors, associated with a third feature in the set.

26. (Previously presented) The method of claim 1, wherein establishing a color scheme includes:

receiving information from a user for establishing the color scheme.

27. (Previously presented) The method of claim 1, wherein establishing a color scheme includes:

receiving information from a user for associating the color with the at least one of the features in the set.

28. (Previously presented) The method of claim 1, wherein automatically colorizing the at least one feature based on the color scheme to generate a colorized schematic includes:

automatically colorizing the at least one feature based on the color scheme and based on a user input.

Evidence Appendix to Appeal Brief Under Rule 41.37(c)(1)(ix)

There is no evidence being cited by Appellant in this Appeal.

Related Proceedings Appendix to Appeal Brief Under Rule 41.37(c)(1)(x)

To Appellant's knowledge, there are no related proceedings.